

REMARKS/ARGUMENTS

The undersigned wishes to thank Examiner Kim for the courtesy of another telephone interview following receipt of the final office action. During the telephone interview, an important new insight was developed which was inherent in the case and the claims previously contained in the case. This awareness is directed to the fact that the references being cited by Examiner Kim are all of a highly electronic and a very sophisticated basis of design and operation. The present invention, contrarily, is directed to the attachment of a static or inert medallion onto the gravesite or gravestone of a deceased person. Examiner Kim was uncertain as to whether he would enter a further amendment to the claims at this stage of the proceedings in this case but encouraged this response.

REJECTION

The rejection of claims 1 to 3 under 35 U.S.C. 103(a) is again based upon the combination of references to Mindrum and Yamamoto.

The primary reference to Mindrum is directed to an apparatus for recording and presenting life stories and method of use. The interface described by Mindrum as being placed at the gravesite of the deceased person is a highly electronically based arrangement for retrieving information concerning the deceased person. The similarity between Mindrum and the present invention is that it facilitates the online retrieval of information from a central electronic source connected to the Internet. However, Mindrum incorporates electronic gravesite components in the form of either an electronic memory tube 18 buried in the coffin or an electronic transponder 46 A, B or C positioned adjacent the gravestone.

Likewise, the Yamamoto reference teaches a very sophisticated electronic portable tomb for resurrection from mummified tissue DNA wherein memorabilia of the deceased person are encapsulated permanently in a transparent encapsulation tomb 10 into which various items of memorabilia have been molded. Also molded within the tomb 10 is an electronic storage device 24 which may be accessed through an external connection 26 to an electronic circuit 28 provided to recover stored information from the storage chip 24.

Yamamoto, therefore, also fails to teach a non-electronic viewable identification member associated with the deceased person which must be utilized to retrieve by online Internet means from a central computer details of the deceased person associated with each unique identification number.

Examiner Kim was correct in characterizing the present invention as somewhat of a throwback to the pre-electronic era in that the medallion attached to the tombstone only bears a uniquely assigned identification number associated with the subscription information of the deceased person. The medallion does not bear the deceased person's name, date of birth or any other information which would typically be attached to the gravestone itself. Only by retrieving this information electronically via the Internet from a host computer utilizing this unique identification number itself can a person gain further ancestral information concerning that deceased person.

Thus, it is submitted that the claims now in the case as they have been amended place this case clearly in condition for allowance and distinguish over both of the electronically based references of record. Because applicant's invention as now claimed is somewhat of a technological throwback, nonetheless it deserves to be protected by the unique claims as now in the case as it clearly presents an economic advantage over the

references of record and may be significantly more easily implemented by a subscription registrant and central computer processing entity.

Moreover, the non-electronic nature of the present invention with respect to the medallion itself attached to the gravesite or gravestone of a deceased person is virtually maintenance free into perpetuity. No failed electronic equipment or power supply which might be typically associated with either Mindrum or Yamamoto would ever inhibit an ancestral information seeker who finds himself at the gravesite of a subscriber deceased person. All that is required is to simply write down or record the identification number and then seek further ancestral information later via a remote Internet PC access site.


It is submitted that this case is in condition for allowance and that the entering of this Amendment Under Rule 1.116 is proper on that basis and same is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing is being facsimile transmitted to the Honorable Commissioner for Patents, (703) 308-7722, this November 11, 2003.


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